

**BOARD OF FORESTRY AND FIRE PROTECTION
PROFESSIONAL FORESTERS REGISTRATION**

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**Professional Foresters Examining Committee****OPEN SESSION MEETING MINUTES****Held: December 12, 2014**

CAL FIRE North Operations
6105 Airport Road
Redding, California, 96002

- Members Present:** Doug Ferrier, Chairman
Otto van Emmerik, Vice Chairman
Dan Sendek
Jon Gustafson
- Staff Participating:** Matt Dias, Executive Officer - Foresters Licensing
Shuhani Patel, Assistant
- Members of Public:** Kevin Conway, CLFA Representative
Lennart Lindstrand
- Associated California Loggers:** Joe Griggs Jr
Myles Anderson
Eric Carlson
Bob MacMullin
- CAL FIRE staff:** Dennis Hall
Matthew Reischman
Anthony Lukasic
Cary Japp

1. Approval of Open Session Minutes of June 12, 2014 Meeting.

- 08-12-01** Member Dan Sendek moved to approve the open session minutes with a few minor grammar corrections and Member Jerry Jensen seconded the motion. The motion carried unanimously.

2. Reports from the Chairman and Executive Officer.

No information was brought forth by the Chairman or the Executive Officer.

Professional Foresters Registration shall protect the public interest through the regulation of those individuals who are licensed to practice the profession of forestry, and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment, within the State of California.

3. RPF/LTO Responsibilities with participation including, but not limited to, Associated California Loggers, CAL FIRE and California Licensed Foresters Association.

Cary Japp got a packet together to develop background framework regarding examples of violations that were received by LTOs. Myles Anderson, President of ACL, stated that an appeal process might be needed so LTOs that are receiving violations have the option to have the violation reviewed by a third party to determine if the violations was appropriately issued. It was also discussed that the issue of RPF/LTO responsibilities may be a regionally specific issue and not something wide spread. Chairman Ferrier instructed EO Dias to research the issue to determine if it is a regional specific issue or something that may be occurring statewide.

Examples of Notice of Violations (NOVs) indicate that LTOs are receiving violations on issues including crossings mismarked in the field, lack of correspondence of crossing location(s) on Plan maps, and harvesting of trees that were mistakenly marked by RPFs. ACL stated that generally RPFs do a decent job of preparing the Plans, but the field work associated with the Plan can be poor at times.

Bob McMullian asked for some discretion be given by inspectors to look at reasons for the violations if in-fact they should have been given to the RPF for mistakes on THP plans. Doug Ferrier requested that more information be gathered by the loggers to determine geographic locations of the problems to see if this is just in Mendocino County or it is widespread to see where the underlining issue actually exists. The LTOs are not intentionally committing violations, but at times, they were following instructions directly from the RPF. Cary Japp stated that PHI reports might be another helpful source to look into for THP inadequacies. He also stated that each case is handled independently and strongly suggests that there should be more communication from the RPFs and LTOs to try to avoid such violations. The LTOs need to make phone calls to the RPFs and CAL FIRE to be made aware of mistakes on the THP plans that are noticed by loggers on the THP plan. CLFA does not want LTO to be responsible for RPFs work. Many areas in the Forest Practice Rules address RPFs area of responsibility and it is possible that a review of this portion of the Forest Practice Rules could be reviewed. ACL wants RPFs to be held accountable for their work and don't want to have to double check everything to avoid getting violations. Jon Gustafson mentioned that more use of the pre-op checklist could be useful in preventing mistakes and violations. This list could be updated to include recent violations complaints by the loggers. Otto Van Emerik stated that RPFs are willing to take responsibility for trees marked too close to the water courses. NOVs doesn't signify that a crime has occurred and a NOV is the lowest level of enforcement actions that can be pursued by the Department. Anthony Lukasic states that the Department does not issue citations or pursue civil penalties nearly as often as they issue NOVs, but the NOV is often the foundation enforcement action that would be utilized is a citation or civil action is pursued.

4. Discussion of Contract for Expert Examiner.

EO Matt Dias discussed that Len Lindstrand's extension for an expert grader was submitted to Business Services and still under process. Also, another contract was submitted for bid for a new expert examiner to replace Dr. Carl Yee. Carl Yee will be transferring RPF data to pass on to the new examiner. If the contracts are not completed in a timely manner, Matt Dias has offered to work on the next RPF examination.

5. Discussion of the Current Condition of the Professional Foresters Fund

EO Dias brought forward a fund condition statement for the fiscal year 13/14. The fund balance is reported at \$454,420.49. The EO explained that this report is simply put forth at this time as informational, but could be relied upon in the future for comparing and contrasting end of year fund balances for the purpose of identifying if the program is sustainable.

6. New and unfinished business.

No new and unfinished business was reported.

08-12-02 Member Sendek moved to adjourn the open session and Member Jensen seconded the motion. The motion carried unanimously.